



Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
<http://dnr.state.il.us>

Pat Quinn, Governor
Marc Miller, Director

January 4, 2013

Mr. Dan Olson
Community Development Director
Village of Lake in the Hills
600 Harvest Gate
Lake in the Hills, IL 60156

Re: Villas of Lake in The Hills
Endangered Species Consultation Program
Project Number(s): 1304469 [1302954]
County: McHenry

Dear Mr. Chertow:

This letter concerns the Endangered Species Consultation for this project located in Section 30, Township 43 North, Range 8 East submitted by DKI, Inc., for consultation in accordance with the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], *Interagency Wetland Policy Act* Part 1090, and Title 17 *Illinois Administrative Code* Part 1075.

The project is a single family residential development, including eight residential buildings and one community building on approximately 5.432 acres of land. The landscape is a residential/commercial area in McHenry County with isolated marshes and various wetland types in the vicinity. Construction is expected to begin February, 2013 and end March, 2014. Exclusionary silt fencing will be installed around the area of disturbance. Storm water will be routed to an existing detention pond located adjacent and west of the project. The detention pond drains north and then east to Lake of the Hills.

The state-listed endangered **Blanding's Turtle** (*Emydoidea blandingii*) is known to occur in the vicinity of this project. To avoid and minimize impacts to this species, the Department recommends the following measures be implemented by the developer and incorporated in the Village's project authorization.

1. Construction crews, mowing crews, and all on-site personnel should be educated and informed about Blanding's Turtles before work begins. Photos of the turtle (adult and juvenile) should be distributed and a discussion of the site management plan and how to respond to encounters should be held in a training session and at the preconstruction site meeting. If a turtle is encountered on site, crews should be informed to immediately stop construction in the surrounding area and contact Sara Denham of the McHenry Country Conservation District, 815/728-8307, and the Department (Brad Semel, 630/399-3242); keeping in mind it is a criminal act to handle one. If a Blanding's Turtle is encountered, Incidental Take Authorization from the Department's Office of Resource Conservation will most likely be needed, which would result in a Conservation Management Plan for the species.

Personnel on site should watch the turtle until the proper authority arrives to alleviate the situation, keeping at a respectable distance. If the turtle moves, crews should mark the spot they first saw the turtle and the last

spot it was seen.

2. The area may contain an unknown nesting site or the route to a nesting site. In this instance, transiting turtles are the main concern. Because construction activities will take place during the turtles active season (early April to late October), exclusionary fencing should be installed and in place from April 1st to October 31st. This will help prevent turtles from entering the construction areas. Daily inspections should occur for the first two weeks and then be maintained weekly throughout the construction period to ensure the exclusionary fencing has been properly installed and to check if any turtles are present on either side of the fence.
3. Trenches should be covered at the end of each work day. Before starting each work day, on-site personnel should routinely inspect trenches and excavations to ensure no turtles (or other amphibians and reptiles) have become trapped within them.
4. Blanding's Turtles may also be attracted to the existing detention pond near the property and wonder into the residential area post-construction. Residents, managers, and maintenance personnel should be informed about this protected species and handle encounters as described in bullet 1.
5. The Department recommends the developer install mountable, molded curbs rather than the standard 6" vertical curbs. Mountable curbs allow turtles to move freely to and from aquatic areas. If curbs must be used, 4" high curbs at a 3:1 slope are preferred. Other species (such as frogs, toads, snakes, mammals, etc.) will also benefit from mountable curbs.
6. Turtle crossing signs installed along streets within the development, from April to November, could minimize turtle road mortality – a major reason this species is threatened.

Consultation under 17 Ill. Adm. Code Part 1075 and 1090 is terminated. In accordance with 17 Ill. Adm. Code 1075.40(h), the Village of Lake in the Hills must notify the Department of its decision regarding these recommendations, whether they will:

- Allow the action to proceed as originally planned;
- Require the action to be modified per Department recommendations (please specify which measures if not all will be required); or
- Forgo the action.

Consultation for Part 1075 is valid for two years unless new information becomes available that was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the project has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

Consultation for Part 1090 (Interagency Wetland Policy Act) is valid for three years.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database and the Illinois Wetlands Inventory at the time of the project submittal, and should not be regarded as a final statement on the site being considered, nor should it be a substitute for detailed site surveys or field surveys required for environmental assessments. If additional protected resources are encountered during the project's implementation, you must comply with the applicable statutes and regulations. Also, note that termination does not imply IDNR's authorization or endorsement of the proposed action.

Please contact me if you have questions regarding this review.

A handwritten signature in black ink that reads "Nathan Grider". The signature is written in a cursive, flowing style.

Nathan Grider
Division of Ecosystems and Environment
217-785-5500

cc: Brad Semel, IDNR/Region II/Restoration Ecology
Sara Denham, McHenry County Conservation District
Mark Chertow, DKI, Inc.
Cindy Skrukrud, McHenry County Defenders/1075.70
Lisa Haderlein, Land Conservancy of McHenry County/1075.70